



1-8-02

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Patent

Attorney Docket: 267/301

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael I. Nerenberg et al.

Serial No.: 09/972,830

Filed: October 5, 2001

For: **MAGNETIC BEAD-BASED ARRAY
FOR GENETIC DETECTION**

Group Art Unit: 1643

Examiner: Not yet assigned

TRANSMITTAL OF MISSING PARTS

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on October 29, 2001, enclosed are:

- ☒ Declaration
- ☐ Power of Attorney: ☐ Separate or ☐ Combined with Declaration
- ☐ Assignment of the invention to _____ (together with PTO Form 1595)
- ☒ Preliminary Amendment *2nd*
- ☒ Copy of Notice to File Missing Parts of Application under 37 CFR § 1.53(f)
- ☒ If any extension fee is required, please consider this a petition therefor.

OC-100160.1

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that I have reasonable cause to expect that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, DC 20231.

Express Mail Label No.: EL622500923US
Date of Deposit: December 31, 2001

Michael A. Smith
Micheal A. Smith

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II. FILING FEES

☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:						\$740.00
Total Claims	18	-	20	=	0 x \$18.00	\$0.00
Independent Claims	3	-	3	=	0 x \$84.00	\$0.00
Multiple Dependent Claims	\$280	(if applicable)			<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)			<input checked="" type="checkbox"/>	\$130.00
TOTAL OF ABOVE CALCULATIONS						\$870.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.					<input checked="" type="checkbox"/>	\$435.00
Extension of Time (from above)						\$0.00
Assignment -- \$40 (if applicable)					<input type="checkbox"/>	\$0.00
TOTAL FEES SUBMITTED HEREWITH						\$435.00

III. METHOD OF PAYMENT OF FEES:

- ☐ A check in the amount of _____ is enclosed to cover the above fee(s).
- ☒ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of **\$435.00**.
- ☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: December 28, 2001

By: 

Patrick S. Eagleman
Reg. No. 44,665



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,830	10/05/2001	Michael I. Nerenberg	267/301

22249
LYON & LYON LLP
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071

CONFIRMATION NO. 3809

FORMALITIES LETTER



OC000000006990578

FR

Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Missing
Parts

12/29/01

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$280.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1150.**

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

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U.S. PROSECUTION



UNITED STATES PATENT AND TRADEMARK OFFICE

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01/18/2002 SS/LEEKU 00000034 122475 09972830

01 FC:201 370.00 CH
02 FC:205 65.00 CH

A copy of this notice MUST be returned with the reply.


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PART 2 - COPY TO BE RETURNED WITH RESPONSE